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Drawing Amendments

There are no amendments to the drawings.

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Remarks

The Office Action of 08/11/2005 rejected claims 1, 3, 5, 7, 9, 11, 13-14, 16-19, 32, 34, 36, 38, and 40 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,151,315 by G.R. Ash, et al. (hereafter referred to as Ash). Further, the Office Action rejected claims 2, 4, 6, 8, 10, 12, 15, 20-31, 33, 35, 37, 39, and 41-53 as being unpatentable under 35 U.S.C. §103(a) over Ash in view of U.S. Patent No. 6,738,358 by A. Bist, et al. (hereafter referred to as Bist). Dependent claims 2, 15, 22, 33, and 44 are being canceled. Claims 1, 13, 20, 32, and 42 are being amended. Amended claim 1 incorporates the matter of canceled claim 2. Amended claim 13 incorporates the matter of canceled claim 15. Amended claim 20 incorporates the matter of canceled claim 22. Amended claim 32 incorporates the matter of canceled claim 33. Amended claim 42 incorporates the matter of canceled claim 44.

Rejection of amended claim 1 and claims 3, 5, 7, 9, and 11 under 35 U.S.C. 102(e) and 35 U.S.C. 103(a)

This rejection is respectfully traversed. Amended claim 1 recites:

A method for controlling echoes within a telecommunication switching system having a plurality of local exchange carriers and a plurality of local telecommunication switches where each of the plurality of local exchange carriers is connected to a plurality of telephone sets attached to a plurality of local telephone switching offices of each of the plurality of local exchange carriers and each of the plurality of local telecommunication switches is connected to a plurality of telephone sets, comprising the steps of:

receiving by one of the plurality of local telecommunication switches a call setup message from one of a first plurality of telephone sets connected to one of a first plurality of local exchange carriers with a first trunk circuit interconnecting the one of the plurality of local telecommunication switches with the one of the first plurality of local exchange carriers;

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determining by the one of the plurality of local telecommunication switches that the call setup message designates one of a second plurality of telephone sets connected to one of a second plurality of local exchange carriers as a destination of the call setup message;

determining by the one of the plurality of local telecommunication switches in response to the call setup message that a first one of a first plurality of local telephone switching offices of the one of the first plurality of local exchange carriers to which the one of the first plurality of telephone sets is connected requires echo cancellation operations;

providing by the one of the plurality of local telecommunication switches in response to the determination that echo cancellation operations are required for the first one of the first plurality of local telephone switching offices echo cancellation operations for a first call path from the one of the plurality of local telecommunication switches to the first one of the first plurality of the local telephone switching offices of the first one of the plurality of local exchange carriers;

adjusting the echo cancellation capabilities of the first trunk circuit with respect to an echo tail length upon the first call path being established; and

adjusting the echo cancellation capabilities of the first trunk circuit with respect to an echo tail length upon the first call path being established.

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to

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anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference. Also, See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987) and *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). Further more, M.P.E.P § 2131 requires a reference to teach each and every limitation of a rejected claim to be anticipatory. Applicant submits that Ash does not met these requirements with respect to claim 1.

Amended claim 1 recites "a plurality of local exchange carriers and a plurality of local telecommunication switches where each of the plurality of local exchange carriers is connected to a plurality of telephone sets attached to a plurality of local telephone switching offices of each of the plurality of local exchange carriers and each of the plurality of local telecommunication switches is connected to a plurality of telephone sets..." In responding to applicant's arguments as set forth in applicant's amendment filed 06/21/2005, the Office Action states that the two switching systems are a plurality of switching systems, and applicant agrees with that statement. However, amended claim 1 recites two pluralities of switching systems (plurality of local exchange carriers and a plurality of local telecommunication switches); hence, Ash has one less plurality of switching systems than amended claim 1. Clearly, Ash cannot be anticipatory of claim 1 under 35 U.S.C. 102 since Ash fails to teach all of the elements of claim 1.

Further, claim 1 recites "determining by the one of the plurality of local telecommunication switches ... that a first one of a first plurality of local telephone switching offices ... requires echo cancellation operations; and providing by the one of the plurality of local telecommunication switches in response to the determination ... echo cancellation operations for a first call path from the one of the plurality of local telecommunication switches to the first one of the first plurality of the local telephone switching offices ..." The Office Action states "Regarding determination of

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the need for echo cancellation, Ash discloses that echo cancellation may be activated on a per-call basis" but does not cite in Ash where this disclosed or suggested. Absence such a citation, applicant still can only find text in Ash which discloses that echo cancellation is activated and not the operation of determining that a link from a connected switching system needs echo cancellation and only performing echo cancellation based on this determination as recited in amended claim 1.

Finally, amended claim 1 also recites "adjusting the echo cancellation capabilities of the first trunk circuit with respect to an echo tail length upon the first call path being established" which is not disclosed in Ash. However, the adjusting step is matter incorporated into amended claim from canceled claim 2, and the Office Action rejected claim 2 as unpatentable over Ash in view of Bist under 35 U.S.C. § 103 (a).

Rejecting claim 2 as unpatentable over Ash in view of Bist under 35 U.S.C. § 103 (a), the Office Action stated "this is disclosed in Bist, figure 28 and column 50, lines 32-36". The cited text states:

FIG. 28 illustrates the possible settings for the echo cancellation settings (ECS) 2711 including no echo cancellation and desired tail length values for echo cancellation. The value of tail lengths selectable by the ECS 2711 is the value of tail length which the echo canceller will model.

This cited text does not disclose or suggest that the echo cancellation settings are adjusted upon a call path being established as recited in amended claim 1. Bist only discloses that the tail lengths can be adjusted which probably takes place when the trunk is powered-on. Because of this fact, applicant respectfully submits that amended claim is patentable over Ash in view of Bist under 35 U.S.C. § 103 (a).

In summary, applicant submits that amended claim 1 is patentable under 35 U.S.C. 102(e) over Ash and is patentable under 35 U.S.C. 103(a) over Ash in view of Bist. Further, dependent claims 3, 5, 7, 9, and 11 are directly or indirectly dependent on amended claim 1 and are patentable for at least the same reasons as amended claim 1.

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Rejection of amended 13 and claims 14 and 16-19 under 35 U.S.C. 102(e) and 35 U.S.C. 103(a)

This rejection is respectfully traversed. Amended claim 13 and claims 14 and 16-19 are patentable under 35 U.S.C. 102(e) over Ash and patentable under 35 U.S.C. 103(a) over Ash in view of Bist for at least the same reasons that amended claim 1 and claims 3, 5, 7, 9, and 11 are patentable.

Rejection of amended claim 32 and claims 34, 36, 38, and 40 under 35 U.S.C. 102(e) and 35 U.S.C. 103(a)

This rejection is respectfully traversed. Amended claim 32 and claims 34, 36, 38, and 40 are patentable under 35 U.S.C. 102(e) over Ash and patentable under 35 U.S.C. 103(a) over Ash in view of Bist for at least the same reasons that amended claim 1 and claims 3, 5, 7, 9, and 11 are patentable.

Rejection of Claims 4, 6, 8, 10, and 12 under 35 U.S.C. 103(a)

This rejection is respectfully traversed. Dependent claims 2, 4, 6, 8, 10, and 12 are directly or indirectly dependent on amended claim 1 and are patentable for at least the same reasons as amended claim 1.

Rejection of amended claim 20 and claims 21 and 23-31 under 35 U.S.C. 103(a)

This rejection is respectfully traversed. Amended claim 20 and claims 21 and 23-31 are patentable under 35 U.S.C. 103(a) over Ash in view of Bist for at least the same reasons that amended claim 1 and claims 3, 5, 7, 9, and 11 are patentable.

Rejection of Claims 35, 37, 39, and 41 under 35 U.S.C. 103(a)

This rejection is respectfully traversed. Dependent claims 35, 37, 39 and 41 are directly or indirectly dependent on amended claim 32 and are patentable for at least the same reasons as amended claim 32.

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Rejection of amended claim 42 and claims 43 and 45-53 under
35 U.S.C. 103(a)

This rejection is respectfully traversed. amended claim 42 and claims 43 and 45-53 are patentable for the same reasons as amended claim 20 and claims 21 and 23-31.

SUMMARY

In view of the foregoing, applicant respectfully requests consideration of amended claims 1, 13, 20, 32, and 42, reconsideration of original claims 3-12, 14, 16-19, 21, 23-31, 34-41, 43, and 45-53, and allowance of these claims.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the Examiner is invited to call applicant's attorney at the telephone number listed below.

Respectfully,

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